

E-FILED on 8/2/06

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MICHAEL ARIKAT AND PASIMA
ARIKAT,

Plaintiffs,

v.

JP MORGAN CHASE & CO.; LOWE'S HIW,
INC.; MACY'S DEPARTMENT STORES,
INC.; MBNA MARKETING SYSTEMS, INC.;
MIDCOAST CREDIT CORP.; DISCOVER
FINANCIAL SERVICES, INC.; HOME
DEPOT U.S.A., INC.; SEARS, ROEBUCK
AND CO.; WELLS FARGO FINANCIAL
CALIFORNIA, INC.; FAIR ISAAC
CORPORATION; TRANS UNION LLC;
EQUIFAX INC.; EXPERIAN SERVICES
CORP.

Defendants.

No. C-06-00330 RMW


ORDER REGARDING PLAINTIFFS' *EX*
PARTE APPLICATION TO CONTINUE
HEARING

[Re Docket No. 112]

Defendants Home Depot U.S.A., Inc. and Sears, Roebuck and Co. filed a joint motion to dismiss plaintiffs' amended complaint noticed for hearing on August 4, 2006. The court continued the motions to dismiss filed by defendants Fair Isaac Corporation, Macy's Department Stores, Inc.,

1 Lowe's HIW, Inc., and Discover Financial Services, Inc. to August 4, 2006. On July 30, 2006
2 plaintiffs filed an *ex parte* application to continue the August 4, 2006 hearing date for at least one
3 week. Apparently plaintiffs have not conferred with defendants to discuss continuing the hearing
4 date or regarding a suitable date for the hearing.¹ If any defendants object to the requested
5 continuance, please provide the court with a letter brief explaining the opposition by the end of the
6 day on Wednesday, August 2, 2006.

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8 DATED: 8/2/2006


RONALD M. WHYTE
United States District Judge

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28 ¹ Although plaintiffs' letter was filed electronically, no defendants have filed a
response.

1 Notice of this document has been electronically sent to:

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14 Counsel are responsible for distributing copies of this document to co-counsel that have not
15 registered for e-filing under the court's CM/ECF program.
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17 **Dated:** 8/2/06 SPT
18 **Chambers of Judge Whyte**
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